IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1061 OF 2004
IN
INCOME TAX APPEAL (L) NO.336 OF 2004

The Commissioner of Income Tax ..Applicant

Vs.

The Gwalior Rayon Silk ..Respondent

Mr.A.D.Kango for the Applicant.
Mr.J.D.Mistry i/b.Dave & Girish & Co. for the Respondent.

CORAM :- DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ.

DATE : 26TH JUNE, 2007

P.C.

. Heard the learned Counsel for the parties. By this Notice of Motion the Applicant is seeking condonation of delay in filing the above Appeal. Perused the Notice of Motion and the affidavit-in-support thereof as well as the additional affidavit in support of the Notice of Motion. For the reasons stated therein sufficient cause is made out for condoning the delay in filing the above Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Applicant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(V.C.DAGA,J.) **(DR.S.RADHAKRISHNAN,J.)**